

Application No.: 10/519,190

Docket No.: 12810-00006-US

REMARKS

The Office required restriction of claims 12-31 to the following Groups:

Group I: Claims 12-17 and 19-30 drawn to a composite molding and

Group II: Claims 18 and 31 drawn to a process of making a composite molding.

In addition, the Examiner has indicated that the claims are directed to more than one species of the generic invention and that the species lack unity of invention and the Examiner is also requiring election of the following groups:

- 1) The species of claim 13 and
- 2) The species of claim 14.

Applicants have elected with traverse, Group I, claims 12-17 and 19-30, drawn to a composite molding for examination. In addition, Applicants elect, with traverse, for search purposes only, the species of claim 14 for examination. Claims 14, 22, 24 and 27 read on the elected species.

The Examiner, citing PCT Rules 13.1 and 13.2, contends that Groups I and II relate to a single general inventive concept because they lack the same or corresponding special technical features. Specifically the Examiner argues that the Claims fail to make a contribution over EP-0847852 as noted in the International Search Report. Applicants respectfully disagree with this conclusion. Applicants submit that the International Search Report and the Office have provided insufficient supporting data or reasons for concluding that the claims do not avoid the prior art and that lack of unity of invention exists. As the Office has provided insufficient reasons in support of its belief, the Office has not met the burden placed upon it, and accordingly, the restriction is believed to be improper and should be withdrawn.

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In addition, Applicants submit that the claims have unity of invention under rule 13.2 because the claims are directed to a product and a process for manufacture of the product (M.P.E.P annex B (e)(i)). Accordingly, Applicants request that if the product claims are found to be allowable, that the process claims be rejoined (M.P.E.P §821.04).

Finally, with respect to the elected species, Applicants respectfully submit that, should the elected species be found allowable, the Office should expand its search to the non-elected species.

For the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Therefore, withdrawal of the Restriction Requirement is respectfully requested.

Further Applicants note that claims 12-31 are under active consideration not claims 1-31 as indicated by the Office on page 1 of the Office Action.

Applicants submit this application is now in condition for examination on the merits and early notification of such action is earnestly solicited.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 12810-00006-US from which the undersigned is authorized to draw.

Dated: February 9, 2007

Respectfully submitted,

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